

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAMION NATHANIEL BROMFIELD,

Petitioner,

v.

A. NEIL CLARK, et al.,

Respondents.

CASE NO. C06-757RSM

ORDER GRANTING PETITION FOR
HABEAS CORPUS

The Court, having reviewed the petition for habeas corpus, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the objections of respondent, as well as plaintiff's "motion for judicial notice" filed February 2, 2007, now finds and ORDERS:

(1) The Report and Recommendation is approved and adopted;

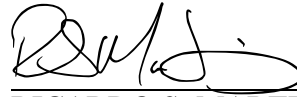
(2) Respondents' motion to dismiss is DENIED, and the petition for writ of habeas corpus is GRANTED; and

(3) This matter is REMANDED to the Seattle Immigration Court for the purpose of providing petitioner with an individualized bond hearing **within thirty (30) days of the date of this Order**. The Immigration Judge shall determine, based on the standard set forth in INA § 236(a), whether, and under what conditions, petitioner may be released from custody pending the proceedings in the Ninth Circuit Court of Appeals.

ORDER GRANTING PETITION FOR
HABEAS CORPUS - 1

1 The Clerk shall direct copies of this order to petitioner, to counsel of record, and to the
2 Honorable Mary Alice Theiler.

3
4 Dated this 14th day of February, 2007

5
6 

7 RICARDO S. MARTINEZ
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

27 ORDER GRANTING PETITION FOR
28 HABEAS CORPUS - 2